IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA NORTHERN DIVISION

DONALD LYLES, #07408-068,	
Petitioner,)
v.) CASE NO. 2:18-CV-627-WKW
WALTER WOODS,) [WO]))
Respondent.	

ORDER

On March 15, 2021, the Magistrate Judge filed a Recommendation to which no timely objections have been filed. (Doc. # 25.) Upon an independent review of the record, it is ORDERED that the Recommendation is ADOPTED and that the petition for writ of habeas corpus under 28 U.S.C. § 2241 is dismissed with prejudice.

A certificate of appealability will not be issued. For a petitioner to obtain a certificate of appealability, he must make "a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2). This showing requires that "reasonable jurists could debate whether (or, for that matter, agree that) the petition should have been resolved in a different manner or that the issues presented were adequate to deserve encouragement to proceed further." *Slack v. McDaniel*, 529 U.S. 473, 484 (2000) (citation and internal quotation marks omitted). And, where a

petition is denied on procedural grounds, he "must show not only that one or more of the claims he has raised presents a substantial constitutional issue, but also that there is a substantial issue about the correctness of the procedural ground on which the petition was denied." *Gordon v. Sec'y, Dep't of Corrs.*, 479 F.3d 1299, 1300 (11th Cir. 2007) (citations omitted). "A 'substantial question' about the procedural ruling means that the correctness of it under the law as it now stands is debatable among jurists of reason." *Id*.

Because reasonable jurists would not find the denial of Petitioner's § 2241 petition debatable, a certificate of appealability is DENIED.

DONE this 5th day of April, 2021.

/s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE